

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

IN RE: Willard Bane
Debtors

CASE NO.: 13-70769
CHAPTER 13

MOTION TO SELL REAL ESTATE

TO THE HONORABLE FRANK J. SANTORO:

COMES NOW Willard Bane, Debtor, by counsel and moves the Court for authority to sell his real estate in a short sale, and in support thereof states as follows:

- 1) Debtors filed his Chapter 13 Bankruptcy proceedings in this Court on March 4, 2013.
- 2) Debtors filed his Chapter 13 Plan on March 4, 2013, and it was confirmed on May 13, 2013.
- 3) Debtors desires to sell his real estate located at 2432 Featherbed Drive, Chesapeake, VA 23325 to unrelated persons Andre and Keisha Alexander, in order to prevent foreclosure and has attached a proposed HUD statement, the terms of which are as follows:

- a) Sales Price - \$305,000.00
- b) Gross Amount Due from Borrower - \$307,855.47, inclusive of \$2,065.67 settlement charges to borrower and \$789.80 taxes
- c) Settlement Date 7/10/13
- d) Gross Amount Due to Seller (Debtor): \$305,789.80
- e) Payoff of first mortgage loan: \$278,488.10
- f) Settlement charges to seller: \$18,149.54
- g) Closing cost credit: \$9,150.00
- h) Cash at settlement due from or to seller: none

Amber Quick, Esquire
State Bar # 76094
The Law Offices of Steve C. Taylor, P.C.
133 Mt. Pleasant Road
Chesapeake, VA 23322
Ph (757)482-5705
Fax (757)546-9535

4) The legal description of the subject property, located at 2432 Featherbed Drive, Chesapeake, VA 23325, is as follows:

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5) The Debtors believe that selling the real estate is necessary and proper, that the Debtors will not receive any proceeds of sale and will be able to conclude the Chapter 13 Plan without default.

6) Out of the proceeds of the sale the following lienholders will be paid the amounts designated:

i) Sole mortgage; Fulton Bank, NA - \$278,488.10

7) Out of the proceeds of the sale the following closing and other incidental costs will be paid:

j) Real estate commissions: \$7,625 to Long & Foster and \$7,625 to Exit Realty Central, \$825 closing fee to Shaheen Law Firm, P.C., \$305 Grantor's Tax, \$875.44 Real Estate Tax, \$44.10 Stormwater, \$350 estimated utilities judgment, \$500 attorney fee to Steve C. Taylor P.C.

8) Out of the proceeds of the loan the Debtors are not expected to receive any funds. But if any funds are received by the Debtors, then those funds will be pledged to the Chapter 13 Plan. Such Plan does not currently provide for payment of arrears on Fulton's mortgage loan.

WHEREFORE, the Debtors respectfully request that their Motion to Sell Real Estate be granted as requested and for the purposes described above.

RESPECTFULLY SUBMITTED,

BY: 

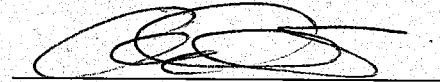
Counsel for Debtors

Amber Quick, Esquire
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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2013 a true copy of the foregoing Motion was sent by prepaid, first class, certified, US Mail, to the below listed parties:


Fulton Bank (CERT)
Craig A. Roda, CEO
One Penn Square
Lancaster, PA 17604



Amber Quick, Esquire

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion was sent by regular mail and/or electronically on this May 14, 2013, to debtor, and to all parties on the attached Service List, including counsel for Fulton Bank, NA, the Law Offices of Samuel I. White, P.C.



Amber Quick, Esquire

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Steve C. Taylor, Esquire

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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**IN RE: Willard Bane
Debtors**

Debtors

**CASE NO.: 13-70769
CHAPTER 13**

NOTICE OF MOTION TO SELL REAL ESTATE

Willard Bane has filed papers with the Court to sell their real estate.

Your rights could be affected. You should read these papers carefully and discuss them with your attorney, if you have one.

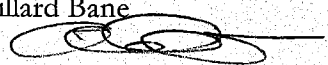
If you do not want the Court to allow the Debtors to sell their real estate, then you or your lawyer must:

File with the Court, at the address below, a written response to the Motion and a request for a hearing by June 4, 2013. **Unless a written response is filed and served by the date specified, the Court may decide that you do not oppose the motion.** If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above. Mail the original to:

U.S. Bankruptcy Court
600 Granby Street, Room 400
Norfolk, VA 23510-1915

If you or your attorney does not take these steps, the Court may decide that you do not oppose the motion and enter an order without further notice or hearing.

Willard Bane


By /s/ Amber Quick, Esquire
Counsel for Debtors

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Amber Quick, Esquire
State Bar # 76094
The Law Offices of Steve C. Taylor, P.C.
133 Mt. Pleasant Road
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Fulton Bank (CERT)
Craig A. Roda, CEO
One Penn Square
Lancaster, PA 17604



Amber Quick, Esquire

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Amber Quick, Esquire

Attachments: Service List

Amber Quick, Esquire
State Bar # 76094
The Law Offices of Steve C. Taylor, P.C.
133 Mt. Pleasant Road
Chesapeake, VA 23322
Ph (757)482-5705
Fax (757)546-9535

Bank of America
P.O. Box 982235
El Paso, TX 79998

Bank of America
POB 15222
Wilmington, DE 19886

Bank of America
Brian T. Moynihan, CEO
100 N. Tryon Street
Charlotte, NC 28255

Bank of America (notice-FDIC)
Brian T. Moynihan, CEO
100 N. Tryon Street
Charlotte, NC 28255

Best Buy
P.O. Box 71106
Charlotte, NC 28272

Best Buy (notice)
CT Corp., Reg. Ag.
4701 Cox Rd., Ste. 301
Glen Allen, VA 23060-6882

City of Chesapeake
Barbara O. Carraway, Treasurer
PO Box 16495
Chesapeake, VA 23328-6495

City of Chesapeake (Service)
City Attorney
306 Cedar Road
Chesapeake, VA 23322

Commonwealth of Virginia
Dept. of Taxation
PO Box 2156
Richmond, VA 23261-7407

Discover
David Nelms, CEO
2500 Lake Cook Rd.
Deerfield, IL 60015

Discover Card
P O Box 71084
Charlotte, NC 28272

Dominion Virginia Power
P.O. Box 26666
Richmond, VA 23261-6666

Dominion Virginia Power RA
CT Corp System
4701 Cox Rd, Ste. 301
Glen Allen, VA 23060-6802

FIA Card Services, N.A.
4161 Piedmont Parkway
NC4 105 03 14
Greensboro, NC 27410

Fulton Bank
Michael Paulson (RA)
625 Elden St.
Herndon, VA 20170

Fulton Bank (CERT)
Craig A. Roda, CEO
One Penn Square
Lancaster, PA 17604

Fulton Bank, NA
1695 State Street
East Petersburg, PA 17520-0008

Jeanette Bane
c/o 2432 Featherbed Drive
Chesapeake, VA 23325

Kohl's
P.O. Box 2983
Milwaukee, WI 53201-2983

Kohl's (RA)
Corporate Creations Network
4445 Corporation Lane, 2nd flr
Virginia Beach, VA 23462

Samuel I White, PC
5040 Corporate Woods Drive
Suite 120
Virginia Beach, VA 23462

Sears and Co., Inc. (RA)
Robert Sears, Jr., Reg. Agent
101 Court Street, POB 578
Appomattox, VA 24522

Sears/Citibank
PO Box 20363
Kansas City, MO 64195

SearsHolding Corp. (notice)
W. Bruce Johnosn, CEO
3333 Beverly Rd.
Hoffman Estates, IL 60179

VA Attorney General (notice)
900 E. Main St.
Richmond, VA 23219

Virginia Natural Gas
Customer Care Center
PO Box 4569, Dept. 6250
Atlanta, GA 30302-4569

Virginia Natural Gas RA
Corp Svc Co., 16th Floor
1111 E. Main Street
Richmond, VA 23219

Wal-Mart
P.O. Box 965024
Orlando, FL 32896-5024

Wal-Mart (notice)
CT Corp, Reg. Ag.
4701 Cox Rd., Ste. 301
Glen Allen, VA 23060

Wells Fargo
P.O. Box 6412
Charlotte, NC 28201

Wells Fargo
John G. Stumpf, CEO
420 Montgomery Street
San Francisco, CA 94104

Wells Fargo Bank
Corp. Svc. Co., Reg. Ag.
1111 E. Main St., 16th Fl.
Richmond, VA 23219